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Moonbug Entertainment Limited and
Treasure Studio, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MOONBUG ENTERTAINMENT
LIMITED and TREASURE STUDIO, INC.,

Plaintiffs,

v.

BABYBUS CO., LTD and BABYBUS
(FUJIAN) NETWORK TECHNOLOGY
CO., LTD,

Defendants.

Case No: 3:21-cv-06536-EMC

**PLAINTIFFS' NOTICE OF MOTION
AND MOTION FOR SUMMARY
JUDGMENT**

In-Person Oral Argument Requested

Date: February 2, 2023
Time: 1:30 p.m.
Judge: Hon. Edward M. Chen
Courtroom: 5, 17th Floor

Complaint Filed: August 24, 2021

NOTICE OF MOTION AND MOTION

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on February 2, 2023 at 1:30 p.m. or as soon thereafter as counsel may be heard in Courtroom 5 – 17th Floor of the above-entitled Court, located at San Francisco Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102, Plaintiffs Moonbug Entertainment Limited and Treasure Studio, Inc. (“Moonbug”) will move, and hereby do move the Court for an Order of summary judgment pursuant to Fed. R. Civ. P. 56 against Defendants BabyBus Co., Ltd and BabyBus (Fujian) Network Technology, Ltd.’s on Moonbug’s claim of copyright infringement. Moonbug respectfully requests that the Court conduct the hearing on this motion in person.

This Motion is made on the grounds that: (1) Moonbug owns registered copyrights to its CoComelon works (the “CoComelon Works”); and (2) Defendants copied protected elements of the CoComelon Works as set forth in the following table and as detailed in the accompanying Memorandum of Points and Authorities filed concurrently herewith:¹

¹ Certified copies of each of the registrations, along with the deposit materials, and copies of the Infringing Works are attached to the concurrently filed Apple Declaration as detailed in the table provided herein and in Appendix A to the Memorandum of Points and Authorities.

Categories of the CoComelon Works	Moonbug's Copyright Registrations	The Infringing Works
The JJ Registrations	<p>Copyright Reg. Nos. VAu001379978 (JJ), VAu001322038 (Unpublished Family Characters), PA0002145951 (Yes Yes Playground Song), PA0002146325 (Colors Song – Learn Colors), PA0002146326 (Bath Song), PA0002146866 (Opposites Song), PA0002149483 (Yes Yes Vegetables Song), PA0002149484 (“No No” Bedtime Song), PA0002156496 (Laughing Baby with Family), PA0002156528 (Peek A Boo Song), PA0002159136 (One Potato, Two Potatoes), PA0002159137 (Yes Yes Vegetables Song), PA0002161510 (Swimming Song), PA0002161511 (Sick Song), PA0002168575 (Animal Dance Song), PA0002169623 (This Is the Way), PA0002169923 (Getting Ready for School Song), PA0002177781 (“No No” Playground Song), PA0002177782 (“No No” Play Safe Song), PA0002177787 (“No No” Table Manners Song), PA0002177791 (Yes Yes Bedtime Song), PA0002181041 (Doctor Checkup Song), PA0002181071 (Wheels on the Bus), PA0002181080 (Winter Song), PA0002181622 (The Boo Boo Song), PA0002183993 (Hello Song), PA0002184313 (Soccer Song), PA0002184737 (Teacher Song), PA0002184736 (First Day of School), PA0002190382 (Shape Song), PA0002190384 (Traffic Safety Song), PA0002190861 (Looby Loo), PA0002190862 (Rock-a-bye Baby), PA0002190864 (Thank You Song), PA0002191424 (Car Wash Song), PA0002191932 (Jobs and Career Song), PA0002192144 (Five Little Monkeys)</p> <p>Apple Decl. ¶¶ 3–4 and corresponding Exhibits</p>	Apple Decl. Exs. 149–516

Categories of the CoComelon Works	Moonbug's Copyright Registrations	The Infringing Works
The Family Registrations	<p>U.S. Copyright Reg. Nos. VAu001307362 (Boy), VAu001322038 (Unpublished Family Characters), PA0002145951 (Yes Yes Playground Song), PA0002146325 (Colors Song – Learn Colors), PA0002146326 (Bath Song), PA0002146866 (Opposites Song), PA0002149483 (Yes Yes Vegetables Song), PA0002149484 (“No No” Bedtime Song), PA0002156496 (Laughing Baby with Family), PA0002156528 (Peek A Boo Song), PA0002159136 (One Potato, Two Potatoes), PA0002159137 (Yes Yes Vegetables Song), PA0002161510 (Swimming Song), PA0002161511 (Sick Song), PA0002168575 (Animal Dance Song), PA0002169623 (This Is the Way), PA0002169923 (Getting Ready for School Song), PA0002177781 (“No No” Playground Song), PA0002177782 (“No No” Play Safe Song), PA0002177787 (“No No” Table Manners Song), PA0002177791 (Yes Yes Bedtime Song), PA0002181041 (Doctor Checkup Song), PA0002181071 (Wheels on the Bus), PA0002181080 (Winter Song), PA0002181622 (The Boo Boo Song), PA0002183993 (Hello Song), PA0002184313 (Soccer Song), PA0002184736 (First Day of School), PA0002190382 (Shape Song), PA0002190384 (Traffic Safety Song), PA0002190861 (Looby Loo), PA0002190862 (Rock-a-bye Baby), PA0002190864 (Thank You Song), PA0002191424 (Car Wash Song), PA0002191932 (Jobs and Career Song), PA0002192144 (Five Little Monkeys)</p> <p>Apple Decl. ¶¶ 3–4 and corresponding Exhibits</p>	Apple Decl. Exs. 149–67, 169–412, 414–516
Yes Yes Registrations	<p>U.S. Copyright Reg. Nos. PA0002149484 (“No No” Bedtime Song), PA0002177781 (“No No” Playground Song), PA0002177782 (“No No” Play Safe Song), PA0002177787 (“No No” Table Manners Song), PA0002145951 (Yes Yes Playground Song), PA0002149483 (Yes Yes Vegetables Song), PA0002159137 (Yes Yes Vegetables Song), PA0002177791 (Yes Yes Bedtime Song)</p> <p>Apple Decl. ¶¶ 3–4 and corresponding Exhibits</p>	Apple Decl. Exs. 150, 151, 165–67, 189, 206, 211, 212, 219–21, 258, 263, 305, 320, 323, 345, 404, 417, 464, 281, 367

Categories of the CoComelon Works	Moonbug's Copyright Registrations	The Infringing Works
Frame-by-Frame Registrations	U.S. Copyright Reg. No. PA0002181622 (The Boo Boo Song) Apple Decl. Exs. 68–70	Apple Decl. Ex. 149
	U.S. Copyright Reg. Nos. PA0002159137 (Yes Yes Vegetables Song), PA0002149483 (Yes Yes Vegetables Song) Apple Decl. Exs. 14–16, 29–31	Apple Decl. Ex. 150
	U.S. Copyright Reg. No. PA0002145951 (Yes Yes Playground Song) Apple Decl. Exs. 2–4	Apple Decl. Ex. 165
	U.S. Copyright Reg. No. PA0002146325 (Colors Song – Learn Colors) Apple Decl. Exs. 5–7	Apple Decl. Ex. 155
	U.S. Copyright Reg. No. PA0002146326 (Bath Song) (Apple Decl. Exs. 8–10)	Apple Decl. Ex. 162
	U.S. Copyright Reg. No. PA0002191424 (Car Wash Song) Apple Decl. Exs. 98–100	Apple Decl. Ex. 163

This Motion is based on the Memorandum of Points and Authorities, the Apple Declaration and attached exhibits, the Chubb Declaration, the Krause Declaration and attached exhibits, each filed concurrently herewith, along with the Court's files in this action, the arguments of counsel, and any other matter that the Court may properly consider.

Dated: December 9, 2022

Respectfully submitted,

/s/ Sean Apple
Sean Apple

Attorneys for Plaintiffs
Moonbug Entertainment Limited and
Treasure Studio, Inc.